

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

STANDING ORDER NO. 3
(as amended February 17, 2004)

**REQUIREMENTS FOR CHAPTER 13 ATTORNEY'S FEE REQUESTS
AND RETENTION OF JURISDICTION**

Pursuant to 11 U.S.C. § 330(a)(4)(B) and Local Rule 9029-5, the Bankruptcy Court for the Northern District of Illinois having adopted a model "Rights and Responsibilities Agreement between Chapter 13 Debtors and their Attorneys" (the "Model Retention Agreement"), as well as a form application for compensation of debtors' counsel (the "Form Application") and form order (the "Form Order Allowing Compensation For Representation of Chapter 13 Debtor"), all of which are available on the court's web site (www.ilnb.uscourts.gov),

IT IS HEREBY ORDERED:

1. Original Compensation. All requests for awards of original compensation to debtor's counsel must be made using the Form Application, regardless whether counsel and the debtor have entered into the Model Retention Agreement. A completed copy of the court's Form Order showing the amounts counsel is requesting must be submitted with the Form Application.

If counsel and the debtor have entered into the Model Retention Agreement,

original compensation will be awarded in an amount that, depending on the option chosen under the Model Retention Agreement, does not exceed \$2,200 for services rendered through plan confirmation or \$2,700 for services rendered through the close of the case.

If counsel and the debtor have not entered into the Model Retention Agreement, the court will award no more than \$1,800 in compensation unless the application attaches a detailed itemization of the services counsel has rendered. The itemization must provide the following information: the precise nature of the services rendered, the time spent on each task (in tenths of an hour), the identity of the person rendering the services, and that person's hourly rate.

2. Supplemental Compensation. All requests for awards of supplemental compensation to debtor's counsel for services rendered post-confirmation must be made using the Form Application. In addition to the Form Application, an itemization of the services counsel has rendered following confirmation must be submitted. The itemization must contain the information described in paragraph 1 of this order. A completed copy of the court's Form Order showing the amounts requested must be submitted with the Form Application.

3. Notice. Adequate notice of a request for compensation *must* be given to all creditors. Notice will be deemed adequate as follows:

(a) In cases where the amount requested is \$1,000 or less, notice is adequate if

compensation is requested by a motion for which at least 5 business days notice by mail or at least 2 business days notice by fax is given pursuant to Local Rule 9013-3.

(b) In cases where the amount requested exceeds \$1,000, notice is adequate if compensation is requested by a motion for which 20 days notice is given pursuant to Rule 2002(a)(6) of the Federal Rules of Bankruptcy Procedure.

(c) Regardless of the amount requested, notice is adequate if (i) the Official Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, and Deadlines (the “Form B9I”) sent to all creditors previously disclosed the amount of compensation requested *and* (ii) a copy of the Form B9I is attached to the application.

4. Failure to Comply with this Order. If a request for compensation fails to comply with this order in any respect, the request may be stricken without further notice.

5. Compensation following Dismissal. When a chapter 13 case is dismissed, the court will retain jurisdiction to hear requests from debtor’s counsel for compensation as follows:

(a) In cases heard in Chicago, jurisdiction will be retained for 30 days following the date of dismissal.

(b) In cases heard in Waukegan, jurisdiction will be retained for 45 days following the date of dismissal.

Notice of a request for compensation following the dismissal of a case must be given in accordance with paragraph 3 of this order.

If a request for compensation has not been *both submitted and heard* before the end of the period during which the court has retained jurisdiction, the Trustee shall disburse any funds he may have on hand in accordance with the established policies and procedures of his office.

6. Effective Date. This order replaces the order issued December 3, 2003 and is effective immediately.

Dated: February 17, 2004

ENTER: _____
A. Benjamin Goldgar
Bankruptcy Judge